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SENATE BILL 1598 By
Wilder

HOUSE BILL 1760
By Rhinehart

AN ACT to amend Tennessee Code Annotated, Title 6, Chapter 51, relative to annexation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 51, is amended by adding the following new section:

An existing municipality may not annex territory that would be within the corporate boundaries of a new municipality after a favorable vote of incorporation has taken place in the new municipality.

SECTION 2. Tennessee Code Annotated, Title 6, Chapter 51, is amended by adding the following new section:

When an existing municipality annexes territory that includes a state highway, the municipality shall assume fifty percent (50%) of the cost of maintaining such highway.

The municipality and the state department of transportation shall establish a schedule of payments that provide for not less than one (1) annual payments by the municipality.

SECTION 3. Tennessee Code Annotated, Section 6-51-101, is amended by adding the following language as a new, appropriately designated item:

() "Strip annexation" means annexation by ordinance upon a municipality's initiative when the boundaries of the territory proposed for annexation: (A) in length are three (3) miles or more at the point furthest from the line where the territory proposed for

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annexation adjoins the existing boundaries of the municipality, and (B) in width at the most narrow point of such territory are less than one-third (1/3) of the length of the boundaries to the point referred to in (A) above.

SECTION 4. Tennessee Code Annotated, Section 6-51-102, is amended by adding the following language as a new, appropriately designated subsection:

() Except in any county having a metropolitan form of government, no municipality shall, upon its own initiative by ordinance, extend its corporate limits by means of strip annexation, as defined in Tennessee Code Annotated, Section 6-51-101. Furthermore, no municipality shall circumvent the intent of this subsection by enactment of two (2) or more annexation ordinances, adopted within any sixty (60) month period, which produce a cumulative effect which would be prohibited by this subsection if the ordinances had been adopted as a single ordinance. Any annexation ordinance in violation of the provisions of this subsection, including each of the ordinances which cumulatively circumvent the intent of this subsection, shall be null and void and the municipality shall be prohibited from initiating annexation procedures relative to such territory, or any portion thereof, for a period of sixty (60) months from the date that such annexation is declared by an appropriate court to be null and void.

SECTION 5. Tennessee Code Annotated, Title 6, Chapter 51, is amended by adding the following new section:

When a municipality undertakes the construction of new utility services, the municipality shall charge existing customers and new customers on a proportionate basis for the infrastructure costs of providing such services. In establishing such proportion of the costs for new users, a municipality may not charge a tap fee of more than fifty dollars (\$50) for each new customer.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.